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11 THE RITZ-CARLTON HOTEL COMPANY, LLC; MARRIOTT INTERNATIONAL, INC.; SHC HALF MOON
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Attorney for Related-Plaintiff MICHAEL PAULICK

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Attorneys for Plaintiff RICHARD SKAFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

17 RICHARD SKAFF,
18
19 Plaintiff,

Case No. C10-01115-CRB
Civil Rights

20 v.

**STIPULATION AND [REDACTED]
ORDER EXTENDING DEADLINES
UNDER GENERAL ORDER 56 AND
REFERRING MATTER TO
MEDIATION**

21 RITZ-CARLTON HOTEL COMPANY, LLC;
22 et al.,

23 Defendants.

24 MICHAEL PAULICK,

Related Case No. C10-4107-CRB

25 Plaintiff,

[TO BE FILED IN BOTH ACTIONS]

26 v.

27 RITZ-CARLTON HALF MOON BAY, et al.

28 Defendants.

The Parties continue to make substantial progress toward resolution, and although more

1 meetings are planned, they believe the two cases are now ready for referral directly to a joint
2 mediation. As a status of efforts under General Order 56, the parties held another full day
3 inspection and meeting on site on November 1, 2010, and now have completed their initial
4 disclosures. However, intervening scheduling difficulties of counsel, including a trial in
5 another matter, have prevented rescheduling and full completion of that process, including their
6 final meeting, which the parties anticipate will be possible within the next three to four weeks.
7 In the mean time, and to ensure adequate time for discussion without further delaying ultimate
8 resolution, the parties request another 60 day extension of all General Order 56 deadlines (as
9 set forth in the Court's Orders of November 1, 2010) and that the two cases be referred directly
10 to a joint mediation to occur within the next 60 to 75 days before Howard Herman of the ADR

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Department.

SO STIPULATED.

Dated: November 30, 2010

ANNE D. O'NIELL, ESQ.
CHRISTINA A. LEE, ESQ.
HINSHAW & CULBERTSON LLP

/s/ Authorized Signed

Attorneys for Defendants THE RITZ-CARLTON
HOTEL COMPANY, LLC; MARRIOTT
INTERNATIONAL, INC.; SHC HALF MOON
BAY, LLC; DTRS HALF MOON BAY, LLC
AND STRATEGIC HOTELS AND RESORTS,
INC.

Dated: November 30, 2010

THEODORE L. WHITE, ESQ.
DEUTSCH, KERRIGAN & STILES, LLP

/s/ Authorized Signed

Attorneys for Defendants SHC HALF MOON BAY,
LLC; DTRS HALF MOON BAY, LLC; and
STRATEGIC HOTELS AND RESORTS, INC.

Dated: November 30, 2010

SIDNEY J. COHEN, ESQ.
SIDNEY J. COHEN PROFESSIONAL
CORPORATION

/s/ Authorized Signed

Attorneys for Plaintiff RICHARD SKAFF

Dated: November 30, 2010

TIMOTHY S. THIMESCH, ESQ.
THIMESCH LAW OFFICES

/s/ Authorized Signed

Attorneys for Plaintiff MICHAEL PAULICK

DECLARATION OF TIMOTHY S. THIMESCH

I, Timothy S. Thimesch, declare:

1. I am counsel for the plaintiff in the case *Michael Paulick v. Ritz-Carlton, Half Moon Bay, et al.*, also filed in this court as Case No. C10-4107 CRB ("the Paulick Case"), which has been related to *Richard Skaff v. Ritz-Carlton Hotel Company, LLC, et al.*, filed as Case No. C10-01115-CRB in the United States District Court, Northern District of California ("the Skaff Case"). I am familiar with the facts on file for the two cases.

2. The parties in *Skaff* have received two prior extensions of the General Order 56

1 deadlines to meet scheduling demands. In the last Skaff request for an extension, the parties in
 2 the Paulick case sought to coordinate, and therefore sought and received permission to
 3 accelerate their GO 56 deadlines.

4 3. Since the last coordinated extension/advancement, counsel and consultants met
 5 on site for a full day inspection of the premises. This occurred on November 1, 2010. The
 6 parties are currently coordinating an effort to reschedule the conclusion of that inspection and
 7 the holding of a final GO 56 meeting among all parties. Presently this effort has been
 8 complicated by the scheduling conflicts for defense counsel Ted White, who represents that he
 9 has been in trial for the past several weeks.

10 4. Already, however, the parties have made significant enough progress without
 11 the final meeting to be ready for mediation. They request that the case be referred to Howard
 12 Herman of the ADR Department. The parties will have the injunctive relief issues sufficiently
 13 narrowed to be ready by the time of mediation.

14 I declare under penalty of perjury that the foregoing is true and correct.

15 Executed this 24th day of November 2010 at Walnut Creek, California.

18 TIMOTHY S. THIMESCH, declarant

21 **ORDER**

22 SO ORDERED. _____

25 Dated: Dec. 3, 2010

26 CHARLES R. BREYER
 27 JUDGE OF THE UNITED STATES DISTRICT COURT
 28

